MINUTE ITEM
This Calendar Item No. C07 was approved as Minute Item No. 07 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-02 meeting.

CALENDAR ITEM
C07

A 33

S 18

PRC 7978

12/16/02
WP 7978.9
M. Hays

AMENDMENT OF GENERAL LEASE – PUBLIC AGENCY USE

LESSEE:

California Department of Transportation
San Luis Obispo Field Office
50 Higuera Street
San Luis Obispo, CA 93401

AREA, LAND TYPE, AND LOCATION:

.05 acres, more or less, of sovereign lands in the Pacific Ocean, adjacent to Highway 1, approximately five miles North of San Simeon, near Point Piedras Blanca, San Luis Obispo County.

AUTHORIZED USE:

Placement of rock slope protection along the shoreline at the base of the bluff adjacent to Highway 1.

LEASE TERM:

Indefinite term, beginning September 1, 1997.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Approve a new map pursuant to Section 101.5 of the Streets and Highway Code, as shown on Exhibit A, for the expansion of the Lease area .73 acres, more or less; and amend the authorized use to include placement of additional rock slope protection within the expanded lease area. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the uplands adjoining the lease premises.

2. On August 26, 1997, the Commission approved a Lease for the placement of approximately 2,350 cubic yards of rock along an approximately 150 linear feet of shoreline adjacent to Highway 1 for the purpose of protecting the highway from erosion due to wave action from winter storms. Erosion of the bluff in this location and others nearby has continued and Lessee is now applying to expand the area of rock slope protection, in anticipation of heavy winter storms. Lessee is proposing to place approximately 1,325 linear feet (13,636 cubic yards) of additional rock slope protection in several locations between Mile 63.9 and 65.9 (approximately .73 acres), to prevent further slope erosion and protect Highway 1 from potentially being undermined. The rock slope protection is a temporary measure needed until the long-term solution of the permanent realignment of this section of Highway 1 has been completed.

3. The steep bluff top along the length of the project area obstructs public vertical access to the beach from Highway 1 and lateral access is limited to low tides. The rock revetment will not affect access along the bluff top. Potential impacts to lateral access in this case are minimal when compared with the potential loss to coastal access that would result from the damage to and possible closure of Highway 1.

4. On September 9, 2002, the California Coastal Commission (CCC) granted an amended Permit# 3-97-039-A2 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251(c).

5. Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, Section 15253 (b), have been met for the Commission to use the environmental analysis document certified by the California Coastal Commission as an EIR equivalent in order to comply with the requirements of the CEQA.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

California Coastal Commission
United States Army Corps of Engineers
San Luis Obispo County
Regional Water Quality Control Board

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT #3-97-039-A2 , WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251(c), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

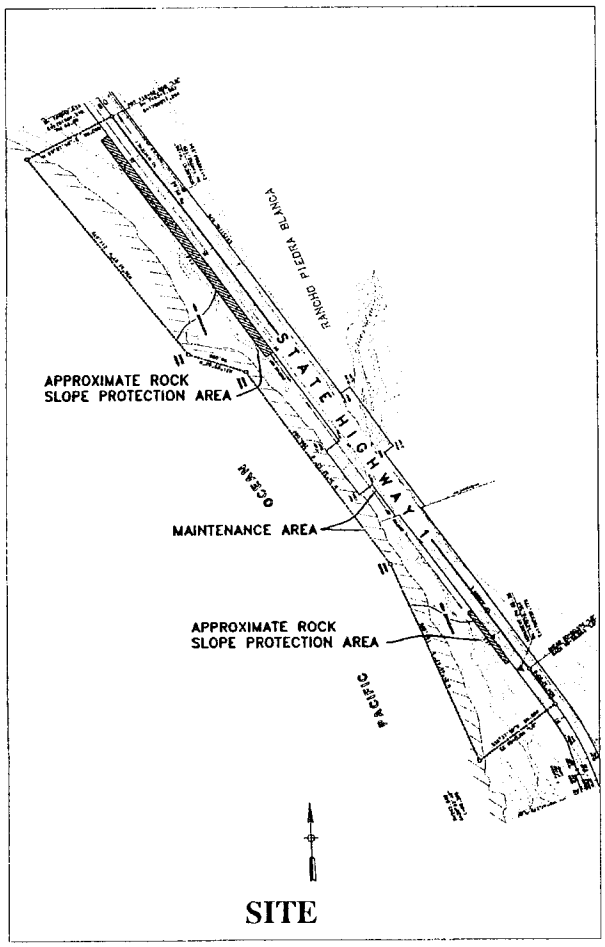
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

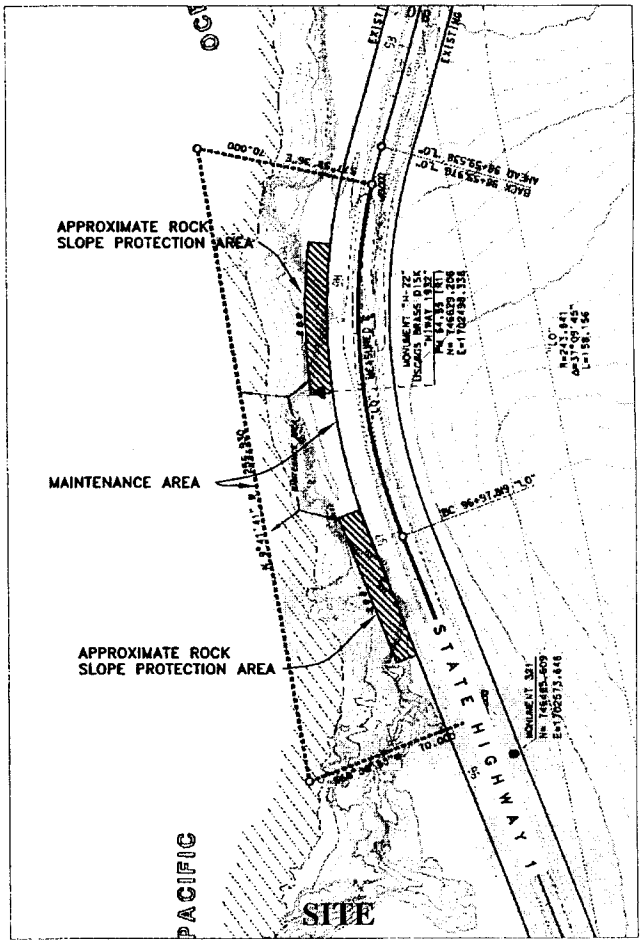
AUTHORIZATION:

APPROVE THE MAP FILED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTION PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAY CODE AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; AND AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7978.9, A GENERAL LEASE – PUBLIC AGENCY USE, EFFECTIVE DECEMBER 1, 2002, TO EXPAND THE LEASE AREA FOR THE PLACEMENT OF ADDITIONAL ROCK SLOPE PROTECTION ON THE LAND SHOWN ON EXHIBIT A ATTACHED; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

SITE

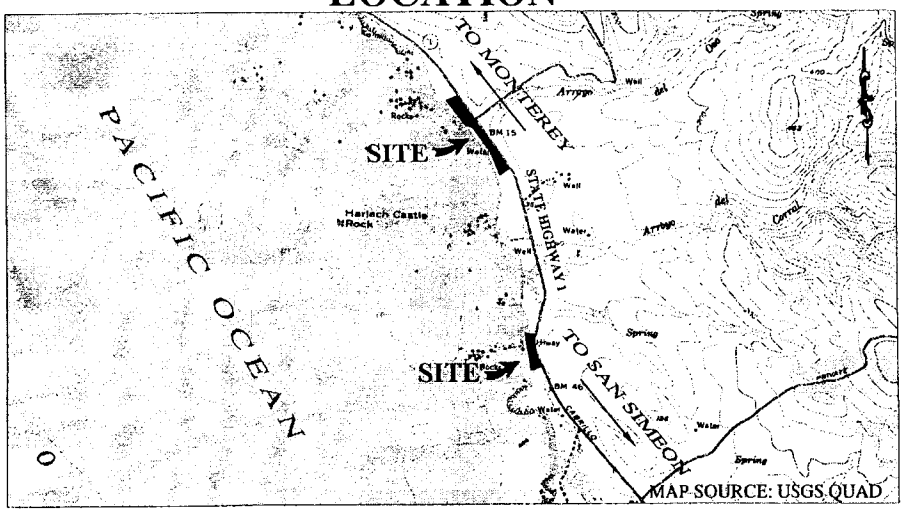




ROCK SLOPE PROTECTION - STATE HIGHWAY 1

NO SCALE

LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

WP 7978.9
CALTRANS DIST. 5
SECTION 101.5
STATE HWY 1
SAN LUIS OBISPO CO.

MJB 11/02

D:\DAT\Land Projects R2\VP 7978 Caltrans 101-5\dwg\Calendar Exhibit.dwg 11/27/2002 08:39:37 AM PST